

United States Court of Appeals  
For the Eighth Circuit

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No. 14-1746

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United States of America

*Plaintiff - Appellee*

v.

Tarnell T. Beverly

*Defendant - Appellant*

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Appeal from United States District Court  
for the Eastern District of Missouri - St. Louis

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Submitted: December 1, 2014

Filed: December 8, 2014

[Unpublished]

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Before GRUENDER, BENTON, and KELLY, Circuit Judges.

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PER CURIAM.

Tarnell Tavon Beverly directly appeals the judgment the district court<sup>1</sup> entered in his criminal case. Counsel has filed a brief under *Anders v. California*, 386 U.S.

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<sup>1</sup>The Honorable John A. Ross, United States District Judge for the Eastern District of Missouri.

738 (1967), in which counsel argues that Beverly should not have been assessed criminal history points for a 2011 conviction for driving on a suspended license, for which he was sentenced to 60 days in jail with credit for time served. Beverly withdrew his objection to this issue at sentencing, and he has not established that the court's criminal history calculation was plain error. *See United States v. Callaway*, 762 F.3d 754, 759 (8th Cir. 2014) (procedural errors not objected to at sentencing are reviewed for plain error); *United States v. Booker*, 639 F.3d 1115, 1119, 1121 (8th Cir. 2011) (holding that challenges under plain-error review failed, as alleged sentencing errors were subject to reasonable dispute, and not "clear or obvious").

An independent review of the record pursuant to *Penon v. Ohio*, 488 U.S. 75, 80 (1988), reveals no nonfrivolous issues for appeal.

The judgment is affirmed.

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